

Notice of Allowability

Application No.

10/696,960

Examiner

Katherine W. Mitchell

Applicant(s)

HANSEN, WAYNE M.

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/30/2005.
2. ☒ The allowed claim(s) is/are 1,2 and 4-12.
3. ☒ The drawings filed on 30 October 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

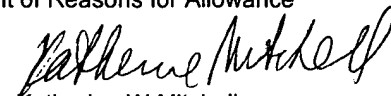
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20050818.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Katherine W Mitchell
Examiner
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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Paul Donovan on Aug 18, 2005.

3. The application has been amended as follows:

4. In the Specification:

Page 5, paragraph 17, line 3, "body 16" has been deleted and --structure 16-- has been inserted in its place.

Page 6, paragraph 21, line 7, "central portion" has been deleted and --central structure-- has been inserted in its place.

5. In the Claims:

Claim 1, lines 2, 3, 5, 8, 14, and 16, "portion" has been deleted and --structure-- has been inserted in its place.

Claim 1, line 10, --fixedly-- has been inserted immediately before "secured" and --directly-- has been inserted immediately after "between and".

Claim 2, lines 2, 3, 5, 8, 13, and 15, "portion" has been deleted and --structure-- has been inserted in its place.

Claim 2, line 10, --fixedly-- has been inserted immediately before "secured".

Claim 2, line 11, --directly-- has been inserted immediately after "between and".

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Claim 4, line 2, "portion" has been deleted and --structure-- has been inserted in its place.

Claim 8, lines 2, 3, 5, 8, 14, and 18, "portion" has been deleted and --structure-- has been inserted in its place.

Claim 8, line 15, "and a central support, the central support further having an additional cored-out section," has been deleted, and --, a hollow section being formed between said central structure and said flanges-- has been inserted in its place.

Claim 8, line 10, --fixedly-- has been inserted immediately before "secured" and -- directly-- has been inserted immediately after "between and".

Claim 9, line 2, "portion" has been deleted and --structure-- has been inserted in its place.

6. The following is an **examiner's statement of reasons for allowance**: The independent claims, 1,2, and 8, all recite a shank with a central structure having a cored out section formed in the central structure, such that the central structure is capable of deformation toward the cored-out section when the fastener shank is inserted in a panel bore. This cored-out central structure has a pair of curved, flexible flanges, defining a shoulder adjacent the base (head) end of the shank, the leading edges of the flanges secured on opposing sides of the central support, and each flange has a trailing edge generally unsupported between the distal end of the shank and the base end of the shank, and the top portion of each training edge is fixedly secured to the fastener head by a tab extending between and directly interconnecting the flange and the head. The combination of the deformable cored-out central structure with a generally unsupported

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flange attached on each of the two opposed sides, along with a tab extending between and interconnecting the head and the top portion of each respective flange trailing end adjacent its shoulder reads over the prior art of record, including Castro USP 6305055, which does not teach a cored-out central structure with leading edges of flanges attached to opposed sides, and Overaker, USP 6575986, which has a cored-out central structure, but there is nothing that can be considered unsupported flanges connected at their leading edges to the central structure and having trailing edges fixedly secured to the fastener head by a tab directly interconnecting the head and each flange adjacent its shoulder.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

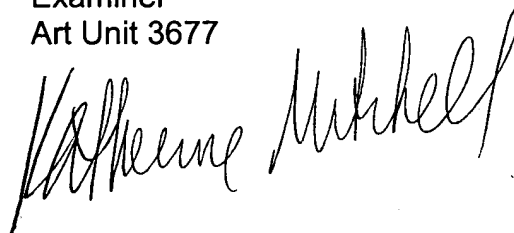
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katherine W. Mitchell whose telephone number is 571-272-7069. The examiner can normally be reached on Mon - Thurs 10 AM - 8 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on 571-272-7075. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Katherine W Mitchell
Examiner
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A handwritten signature in black ink, appearing to read "Katherine Mitchell", written over the printed name and title.

Kwm
8/18/2005